

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	In Chapter 7
)	Case No. 18 B 35437
STEVEN D. ZARLING,)	Honorable LaShonda A. Hunt
)	Motion Date: April 10, 2019
Debtor.)	Motion Time: 10:00 a.m.

NOTICE OF MOTION

TO: See Attached Service List

PLEASE TAKE NOTICE THAT on April 10, 2019, at the hour of 10:00 a.m., a **ROUTINE MOTION OF LINDA NELSON TO EXTEND TIME TO OBJECT TO DISCHARGE AND DETERMINE THE DISCHARGEABILITY OF DEBT** shall be heard before the Honorable LaShonda A. Hunt of the United States Bankruptcy Court for the Northern District of Illinois, Courtroom 719, 219 South Dearborn, Chicago, Illinois. A copy of same is attached hereto and thereby served upon you. You may appear if you so see fit.

NOTE THAT THE PROPOSED ORDER APPENDED TO THIS MOTION MAY BE ENTERED BY THE JUDGE WITHOUT PRESENTMENT IN OPEN COURT UNLESS A PARTY IN INTEREST NOTIFIES THE JUDGE OF AN OBJECTION THERETO PURSUANT TO LOCAL RULE 9013-9.

GOLAN CHRISTIE TAGLIA LLP

AFFIDAVIT OF SERVICE

I, Robert R. Benjamin, an attorney, certify that I caused the foregoing Notice of Motion and Motion to Extend Time to Object to Discharge and Determine the Dischargeability of Debt to be served upon the parties who receive notice via CM/ECF, by e-mail and first class mail postage prepaid sent from 70 W. Madison Street, Suite 1500, Chicago, IL 60602 on March 25, 2019.

/s/Robert R. Benjamin _____
Robert R. Benjamin

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Midwest Sports Medicine
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Elk Grove Village, IL 60007
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Schaumburg, IL 60173
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O'Connor Nakos
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Partners in Primary Care
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Rolling Meadows, IL 60008
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Rehabilitation Institute of Chicago
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Sioux Falls, SD 57117
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**IN THE UNITED STATES BANKRUPTCY COURT
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EASTERN DIVISION**

In re:)	In Chapter 7
)	Case No. 18 B 35437
STEVEN D. ZARLING,)	Honorable LaShonda A. Hunt
)	Motion Date: April 10, 2019
Debtor.)	Motion Time: 10:00 a.m.

**ROUTINE MOTION OF LINDA NELSON TO EXTEND TIME FOR
FILING OBJECTION TO DISCHARGE AND/OR DISCHARGEABILITY
PURSUANT TO 11 U.S.C. §§ 727 AND 523**

Creditor, LINDA NELSON (“Nelson”), requests that the Court enter its proposed order extending the last date for Nelson to file an objection to the discharge and/or dischargeability of Debtor, Steven D. Zarling. In support thereof, Nelson states as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. § 1331.

This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicate for the relief requested in this Motion is Federal Rule of Bankruptcy Procedure 4004(b).

RELIEF REQUESTED

3. On December 26, 2018, Debtor filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code (“Bankruptcy Code”). Subsequently, Richard J. Mason was appointed Trustee.

4. The last day to file an objection to the discharge and/or dischargeability is April 1, 2019.

5. Pursuant to Rule 4004(b), the Court may, on the motion of any party in interest, after notice and a hearing, for cause extend the time to file a complaint objecting to discharge, which motion shall be filed before the time has expired.

6. Local Rule 9013-9 provides that a motion to extend the time for objecting to discharge and/or dischargeability may be designated as a “routine motion” in which case the Court may enter the proposed order without presentment unless the Court is notified of an objection.

7. Nelson has not completed her investigation and requires additional time to complete her due diligence. Specifically, Nelson is investigating whether the Debtor should be denied discharge or his debt to Nelson be declared non-dischargeable due to fraudulent transfers and the failure to surrender property in which Nelson has a security interest as a result of a judgment lien imposed through a Citation to Discover Assets. Therefore, cause exists to extend the objection deadline. Otherwise, Nelson may be forced to file a premature adversary complaint which might needlessly increase the costs of litigation for both the Debtor and Nelson.

8. The requested extension is without prejudice to Nelson’s right to seek a further extension or Debtor’s right to object thereto.

9. This is the first request to extend time. It is not interposed for an improper purpose or to delay these proceedings.

10. Notice of this Motion has been served on all parties of record entitled to notice in the case.

WHEREFORE, Creditor, LINDA NELSON, prays this Honorable Court enter an order extending the last date for her to object to Debtor’s discharge and/or dischargeability to and through June 1, 2019 and for such other and further relief as may be appropriate.

Dated: March 25, 2019

LINDA NELSON, Movant

By: Robert R. Benjamin
One of her attorneys

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